

subdivision (a) makes this clear. “The time-computation provisions of subdivision (a) apply only when a time period must be computed. They do not apply when a fixed time to act is set.” Fed. R. Civ. 6 advisory committee’s note. “If, for example, the date for filing is ‘no later than November 1, 2007,’ subdivision (a) does not govern.” Id.

Discovery in this closed January 1, 2012, even if this date fell on the Sunday before a federal holiday. Rule 6(a) did not extend the discovery deadline through January 3, 2012. Moreover, as the Court previously instructed Plaintiff, she had until the close of discovery - January 1, 2012 - to file any motions to compel. Plaintiff neglected to do so. Accordingly, reconsideration of the Court’s prior Order is not warranted.

Finally, the Court finds no excusable neglect sufficient to extend the deadline in this case. Plaintiff had approximately nine months to pursue discovery in this matter and waited until the last possible minute to attempt to compel the production of documents and answers to interrogatories that she served on July 2, 2011. Moreover, the Initial Disclosures of Defendant that Plaintiff contends fail to comply with the Federal Rules were served on April 26, 2011. Plaintiff had ample time to bring any deficiencies in Defendants’ discovery responses to the Court’s attention and move to compel Defendants to comply with their obligations under the Federal Rules. Accordingly, the Court **DENIES** the Motion for Reconsideration [# 27].

Signed: January 5, 2012

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

